

## Conference for Food Protection – Committee

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**COMMITTEE NAME: CFP–ISSC Shellfish Committee**

**DATE OF FINAL REPORT: 12/31/2019**

**COMMITTEE ASSIGNMENT:  Council I  Council II  Council III  Executive Board**

**REPORT SUBMITTED BY: Julie Henderson**

### COMMITTEE CHARGE(S):

#### **Issue #2016 I-023**

1. The CFP- ISSC Shellfish Ad hoc Committee has been requested to address recommendation #2 by investigating opportunities and activities that will educate and advise State and Local retail food inspectors and retail food establishments of the importance of compliance with Food Code Section 3-203.12.
2. The Conference for Food Protection Executive Board voted during the August 14, 2019 meeting for the CFP- ISSC Shellfish Ad hoc Committee to draft two Issues for Board review: 1) amend the Food Code to mirror ISSC requirements; and establish a committee for the 2020 -2022 biennium to develop educational materials.

### COMMITTEE WORK PLAN AND TIMELINE:

N/A

### COMMITTEE ACTIVITIES:

1. **Dates of committee meetings or conference calls: 4/16/19, 5/21/19, 7/16/19, 8/07/19, 9/10/19, 10/15/19, and 11/19/19**
2. **Overview of committee activities:**

In 2016, the Interstate Shellfish Sanitation Conference (ISSC) submitted Issue 2016-I-023 to the Conference for Food Protection (CFP) for consideration. The CFP adopted the Issue as submitted. Recommendation #2 of the issue requested the FDA begin discussions with the ISSC and the CFP to identify steps that can be taken to enhance implementation and enforcement of shellfish record keeping at retail establishments. This committee has been requested to address recommendation #2 by investigating opportunities and activities that will educate and advise State and Local retail food inspectors and retail food establishments of the importance of compliance with Food Code Section 3-203.12. These efforts would explain how source information associated with record keeping requirements is used by Shellfish Control Authorities and the FDA in illness investigations can subsequently result in shellfish growing area closures and recalls. The purpose of this effort would be to enhance compliance of record keeping requirements to improve the ability of retail food establishments to provide complete and accurate source information in illness investigations.

The CFP ISSC Shellfish Committee first met on April 16, 2019 to discuss the committee charges. The Committee has met on the third Tuesday of each month, excepting the month of June, since then. Several members on the Committee stated that their agencies provide training to the shellfish industry and shellfish specialists (inspectors) on shellstock traceback and the importance of maintaining shellstock identification and recordkeeping. A few states educate retail food inspectors and provide educational opportunities to retail establishments. There is a gap however in the regulatory requirements for retail establishments as well as the educational opportunities to both retail food inspectors and retail establishments. Not all local and state jurisdictions adopt the most recent version of the FDA Food Code.

#### 3. **Charges COMPLETED and the rationale for each specific recommendation:**

- a. Investigating opportunities and activities that will educate and advise State and Local retail food inspectors and retail food establishments of the importance of compliance with Food Code Section 3-203.12.

#### Findings and Recommendation Rationale:

The Committee reviewed guidance documents and trainings; reviewed relevant FDA Food Code sections and related Annexes as well as the FDA Model Ordinance sections. The Committee, based on the review of the existing documents and trainings, identified a gap in the availability of documents that will educate and advise State and Local retail food inspectors and retail food establishments of the importance of compliance with Food Code Section 3-203.12. The Committee concluded that there are some discrepancies in terminology, definitions, and requirements for shellstock tagging in the Food Code and the Model Ordinance that may inhibit compliance with Food Code Section 3-203.12.

**COMMITTEE REQUESTED ACTION FOR EXECUTIVE BOARD:**

*No requested Executive Board action at this time; all committee requests and recommendations are included as an Issue submittal.*

**LISTING OF CFP ISSUES TO BE SUBMITTED BY COMMITTEE:**

**1. Issue #1: Report: CFP- ISSC Joint Committee on Shellfish; Amend Food Code**

List of content documents submitted with this Issue:

- (1) *Committee Final Report (this document)*
- (2) *Committee Member Roster (see attached PDF CFP- ISSC Joint Committee on Shellfish)*
- (3) *Proposed amendments*

List of supporting attachments: x *No supporting attachments submitted*

**2. Issue #2: CFP- ISSC 2: Recreate CFP- ISSC Joint Committee on Shellfish.**

List of content documents submitted with this Issue:

- (1) *Committee Final Report (this document)*

List of supporting attachments: x *No supporting attachments submitted*

## CFP-ISSC Shellfish Committee Roster

RE: CFP Issue 2016-I-023

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### **CFP Representatives:**

Regulator 1: Julie Henderson - Virginia Department of Health, 804-864-7463,  
[Julie.Henderson@vdh.virginia.gov](mailto:Julie.Henderson@vdh.virginia.gov)

Regulator 2: Joe Graham – Washington State Department of Health, 360 236-3305,  
[joe.graham@doh.wa.gov](mailto:joe.graham@doh.wa.gov)

Industry 1: Barry Parsons – Paster Training, 866-394-1776, [barry.parsons@pastertraining.com](mailto:barry.parsons@pastertraining.com)

Industry 2: Kathleen O'Donnell – Wegman's Food Markets, 585-429-3623, [kathleen.odonnell-cahill@wegmans.com](mailto:kathleen.odonnell-cahill@wegmans.com)

Consumer: David Plunkett, [dvp426721@verizon.net](mailto:dvp426721@verizon.net)

CFP Executive Director, David McSwane, [dmcswane.cfp@gmail.com](mailto:dmcswane.cfp@gmail.com)

### **ISSC Representatives:**

Regulator 1: Johnathan Gerhardt - New Mexico Department of the Environment,  
[johnathan.gerhardt@state.nm.us](mailto:johnathan.gerhardt@state.nm.us)

Regulator 2: Kim Stryker - Alaska Department of Environmental Conservation -  
[kimberly.stryker@alaska.gov](mailto:kimberly.stryker@alaska.gov)

Regulator 3: Eric Hickey - Massachusetts Department of Public Health - [eric.hickey@state.ma.us](mailto:eric.hickey@state.ma.us)

Industry: Bill Dewey – Taylor Shellfish Company - [billd@taylorshellfish.com](mailto:billd@taylorshellfish.com)

ISSC Executive Director, Ken Moore, [issc@issc.org](mailto:issc@issc.org)

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### **FDA Consultants from its Shellfish and Retail Programs:**

FDA Shellfish Consultant: FDA consultant to the ISSC Board, Melissa Abbott, 240-402-1401,  
[Melissa.abbott@fda.hhs.gov](mailto:Melissa.abbott@fda.hhs.gov)

FDA Retail Consultant: FDA consultant to the CFP Board – Glenda R. Lewis, 240-402-2150,  
[Glenda.lewis@fda.hhs.gov](mailto:Glenda.lewis@fda.hhs.gov)